

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re: Search Warrant Executed on
November 5, 2021

Case No.: 21 Misc. 813 (AT)

In re Search Warrant Executed on
November 3, 2021

Case No.: 21 Misc. 819 (AT)

In re Search Warrant Executed on
November 3, 2021

Case No.: 21 Misc. 825 (AT)

SPECIAL MASTER REPORT

By Order dated December 8, 2021 (the “Order”), the Court appointed me as Special Master in each of the above-captioned matters to determine what materials seized by the Government are responsive to the search warrants, as well as to rule on any privilege objections raised by the parties following review of responsive materials by the Government’s filter team. This report is submitted to provide the Court with an update on the status of the review.

I. Background

The Order requires that materials contained on devices seized from Petitioners are to be extracted and provided to me for review. Once my review is complete, the Order directs me to provide materials deemed responsive to the search warrants to the Government’s filter team to determine if any should be withheld from the investigative team.

I understand that the Government has seized 47 electronic devices of various types from Petitioners. Thus far the Government has provided me with materials, on an ongoing basis, from 15 devices, as well as a small number of photographs of the devices taken by the FBI when the warrants were executed. As to the balance, the contents of some devices were not provided to me because the FBI was able to determine, without reviewing the contents of a device, that it did not

contain data from the time periods set forth in the search warrants. For other materials not yet provided to me the FBI has been unable to access the device or is still attempting to do so.

II. Releases To The Filter Team

I have released materials to the Government's filter team on a rolling basis. On January 29, 2022, I released 34 items consisting of photos taken by the FBI of devices labeled 1B40 and 1B61, as well as materials contained on device 1B57.¹ On February 11, 2022, I released 65 items contained on device 1B58. Most recently, on March 1, 2022, I released 48 items contained on device 1B41, six items from device 1B42, as well as two additional photographs taken by the FBI of devices 1B40 and 1B61.

I have further determined that there are no responsive materials contained on 10 of the remaining devices provided to me: 1B44, 1B29.4, 1B29.5, 1B32.1, 1B32.3, 1B34, 1B36, 1B38.1, 1B38.2, and 1B38.3. I am in the process of reviewing device 1B61 and will release any responsive materials to the filter team expeditiously.

III. Process For Resolving Privilege Disputes

The Order further provides that, once the Government's filter team conducts its review, "Petitioners shall review the materials slated to be released to the investigative team and raise any objections," and that I will "rule on any objections and provide the proper materials to the investigative team." I understand that the filter team's review of the materials released to date is nearly complete, and that the parties are discussing agreed-upon procedures for raising and resolving objections. I ask that the parties submit any proposed procedures to me by **March 10, 2022**, after which I will issue an order to the parties governing the process.

¹ These numbers refer to the specific devices seized during the execution of the warrants. If the Court requires additional information, including from which Petitioner it was seized and a description of the corresponding device, I would be happy to provide it.

Dated: New York, New York
March 7, 2022



HON. BARBARA S. JONES (Ret.)